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EXAMINER

KADING, JOSHUA A

ART UNIT	PAPER NUMBER
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2661

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DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/642,980

Applicant(s)

ROY, RADHIKA R.

Examiner

Joshua Kading

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-29 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claims 1, 2, 13, 24, 25, are objected to because of the following informalities:

Claim 1, line 9 states, "sending the alias address". It should read, --sending the

5 converted address-- or --sending the routable address--.

Claim 2, line 5 states, "the geographical location". It should read, --the
geographical location of--.

Claim 2, line 6 states, "location database is known". It should read, "location
database are known".

10 Claim 13, line 6 states, "geographical location". It should read, --geographical
location of--.

Claim 24, line 5 states, "the geographical location". It should read, --the
geographical location of--.

15 Claim 24, line 6 states, "location database is known". It should read, "location
database are known".

Claim 25, line 6 states, "geographical location". It should read, --geographical
location of--.

Claim 25, line 17 states, "for querying a database". It should read, "by querying a
database".

20 Claim 25, line 20 states, "for mapping". It should read, "by mapping".

Appropriate correction is required.

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Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5

Claims 13-23, 25, 27, and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10

In regard to claim 13, applicant discloses in claim 13 on lines 3-4 "an associated home gatekeeper", on line 5 "the home gatekeeper" which is taken to refer back to the "associated home gatekeeper" on lines 3-4, on line 7 "a home gatekeeper", and on lines 9-10 "the home gatekeeper". It is unclear which gatekeeper applicant is referring to on lines 9-10 as the applicant has already associated "the home gatekeeper" on line 5 with "an associated home gatekeeper" on lines 3-4, but introduced a new "home gatekeeper" on line 7. It is not clear then, which gatekeeper "the home gatekeeper" of lines 9-10 refers back to.

15

In regard to claim 25, applicant discloses in claim 25 on lines 3-4 "an associated home gatekeeper", on line 5 "the home gatekeeper" which is taken to refer back to the "associated home gatekeeper" on lines 3-4, on line 7 "a home gatekeeper", on line 10 "the home gatekeeper", on line 14 "the home gatekeeper", and on line 15 "a home gatekeeper." It is unclear from the claim language which gatekeeper applicant is

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referring to. For example, is "the gatekeeper" on line 10 referring back to "a home gatekeeper" of line 7 or "an associated home gatekeeper" of lines 3-4?

Claim Rejections - 35 USC § 102

5 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

10 (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15

Claims 1-4, 6, 7, 8, 10, 11, 12, 24, 26, and 28 are rejected under 35

U.S.C. 102(e) as being anticipated by Thomas (U.S. Patent 6,421,339 B1).

20 In regard to claim 1, Thomas discloses "a method for assuring H.323 alias address portability, services portability, and service provider portability to an H.323 user in real-time H.323 multimedia communications where the H.323 user is registered with a home gatekeeper for the home zone of the H.323 user, comprising the steps of:

25 sending, by the H.323 user, a message with a called H.323 entity's alias address, to the home gatekeeper to originate a call to the called H.323 entity (col. 5, lines 34-37 where the ARQ message contains "Joe@networkA" which is the alias address; col. 5, lines 45-46 shows the ARQ message is sent to the home gatekeeper when a call is placed by the H.323 user);

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confirming that the alias address is portable (col. 5, lines 5-7 where the roaming user is always referred to as "Joe" and therefore his alias address is portable since no matter where "Joe" is he is always referred to as "Joe"; and applicant's specification, page 12, lines 16-18 defines a portable address as "...not a network routable network number. It needs to be translated to a network address for routing the call to the destination...", since "Joe@networkA" is not a network address but an alias address, the alias address is confirmed portable);

converting the alias address to a called routable alias address for the called H.323 entity and sending the [routable] alias address to the H.323 user (col. 5, lines 45-65 where the ARQ message is sent with the alias address in it and is then converted into the location information of the called H.323 entity); and

placing the call to the called H.323 entity (col. 5, lines 59-63 where the call signaling is the placing of the call)."

In regard to claim 2, Thomas discloses "a method for providing H.323 alias address portability to an H.323 user in real-time H.323 multimedia communications wherein a geographical location is divided into home/visitor zones, and wherein each home/visitor zone has an associated home gatekeeper that maintains a centralized home/visitor location database for home and visitor location information wherein administrative zones of the geographical location [of] the centralized home/visitor location database [are] known and the H.323 user is registered with a home gatekeeper

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for the home zone of the H.323 user (figure 1, elements 63, 66, 68, 70 are home/visitor administrative domain databases in different zones), comprising the steps of:

sending, by the H.323 user, a message with a called H.323 entity's alias address, to the home gatekeeper to originate a call to the called H.323 entity (col. 5, lines 34-37

5 where the ARQ message contains "Joe@networkA" which is the alias address; col. 5, lines 45-46 shows the ARQ message is sent to the home gatekeeper when a call is placed by the H.323 user);

translating, by the home gatekeeper, the alias address to a called routable alias address for the called H.323 entity (col. 5, lines 45-52 where the alias address is in the
10 ARQ message which is sent to the home gatekeeper to translate the alias address into other aliases and lists of gateways, or in other words routing information);

sending, by the home gatekeeper, the called routable alias address to the called H.323 entity (col. 5, lines 59-63 where by signaling the called entity the routable alias address must be sent to the called entity, otherwise the signaling information would not
15 be correctly routed to the called entity; col. 5, lines 23-29 shows the gatekeeper sending and routing the call);

placing the call to the called H.323 entity (col. 5, lines 59-63 where the call signaling is the placing of the call)."

20 In regard to claim 3, Thomas discloses "each administrative domain has at least one zone (figure 1, elements 10 and 12 where each of these domains has at least one zone defined by their respective gatekeepers and HLR/VLR databases)."

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In regard to claim 4, Thomas discloses "an alias address assigned to an H.323 user is kept fixed as the user moves from one place to another (col. 5, lines 5-7 where the roaming user is always referred to as "Joe" and therefore his alias address is fixed
5 since no matter where "Joe" is he is always referred to as "Joe")."

In regard to claim 6, Thomas discloses "a domain for an alias address assigned to the H.323 user in an administrative domain is a donor domain (col. 3, line 67 and col. 4, lines 1-11 where "Joe" registers with an administrative domain by way of gatekeeper
10 44 and is given his donor domain or transient identity)."

In regard to claim 7, Thomas discloses "the alias address assigned to the H.323 user is moved from a donor domain to a new domain due to roaming of the H.323 user, the new domain is called a recipient domain (col. 3, lines 45-47 where VU is later
15 identified by his alias address "Joe" as can be read in col. 3, line 67 and col. 4, lines 1-5; where "Joe" is visiting a recipient domain controlled by gatekeeper 44 and he must register with gatekeeper 44)."

In regard to claim 8, Thomas discloses "the alias address in the recipient domain
20 is referred to as a ported number (col. 5, lines 59-63)."

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In regard to claim 10, Thomas discloses "location information for the H.323 user is updated by querying, by the home gatekeeper, location databases during call establishment by the H.323 user (col. 3, lines 60-64 where periodic basis can include during call establishment)."

5

In regard to claim 11, Thomas discloses "the call is placed directly by the H.323 user (col. 5, lines 23-29 although this is saying that the call is placed by the gatekeeper and not the H.323 user, it mentions that this is merely an alternative to having the H.323 user place the call directly)."

10

In regard to claim 12, Thomas discloses "the H.323 user moves to an administrative domain of the called H.323 entity and the call is placed via a home gatekeeper of the called H.323 entity (col. 6, lines 20-27 where this states that an H.323 user is able to roam and since the H.323 user is able to roam it can place calls as in col. 5, lines 45-52 where the H.323 user communicates with the visited gatekeeper (or the H.323 called entities gatekeeper) which then proceeds with the call setup)."

15

In regard to claim 24, Thomas discloses "a system for providing H.323 alias address portability to an H.323 user in real-time H.323 multimedia communications wherein a geographical location is divided into home/visitor zones, and wherein each home/visitor zone has an associated home gatekeeper that maintains a centralized home/visitor location database for home and visitor location information wherein

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administrative zones of the geographical location [of] the centralized home/visitor location database [are] known and the H.323 user is registered with a home gatekeeper for the home zone of the H.323 user (figure 1, elements 63, 66, 68, 70 are home/visitor administrative domain databases in different zones), comprising:

- 5 a H.323 user, arranged to send by a message with a called H.323 entity's alias address, to the home gatekeeper to originate a call to the called H.323 entity, and, upon receiving a called routable alias address for the called H.323 entity, to complete the call to the called H.323 entity (col. 5, lines 34-37 where the ARQ message contains "Joe@networkA" which is the alias address; col. 5, lines 45-46 shows the ARQ
- 10 message is sent to the home gatekeeper when a call is placed by the H.323 user; col. 5, lines 59-63 where the call signaling is completing the call); and
- the home gatekeeper, arranged to translate the alias address to the called routable alias address for the called H.323 entity and send the called routable alias address to the called H.323 entity (col. 5, lines 45-52 where the alias address is in the
- 15 ARQ message which is sent to the home gatekeeper to translate the alias address into other aliases and lists of gateways, or in other words routing information; col. 5, lines 59-63 where by signaling the called entity the routable alias address must be sent, otherwise the signaling information would not be correctly routed to the called entity; col. 5, lines 23-29 shows the gatekeeper sending and routing the call)."

20

In regard to claims 26 and 28, Thomas discloses "address portability includes, for selected information in the message, having a same source address, a same

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destination address and different intermediate addresses (col. 5, lines 45-52 where the destination address is the alias address which is constant no matter what and the source address must be present in the message otherwise replies and further communication would not be possible because there would be no return address, the intermediate addresses consist of the list of gateways that must be passed through en route to the destination)."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas in view of Chau et al. (U.S. Patent 5,764,750).

In regard claim 5, Thomas discloses the method of claim 4. However, Thomas lacks "the alias address is an E.164 number." Chau et al. however, disclose "the alias address is an E.164 number (col. 2, lines 11-15 show an H.323 environment; col. 23, lines 5-8 and 16-23 show the alias address is an E.164 number and although the alias address in this case is a phone number, as per applicant's specification the alias address could also be a user ID as in Thomas)." It would have been obvious to one with ordinary skill in the art at the time of invention to make the alias address an E.164

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number for the purpose of allowing the gatekeeper to map the address to a network routable address. The motivation being to allow communication over the network.

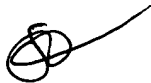
Allowable Subject Matter

5 Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Kading whose telephone number is (703) 305-0342. The examiner can normally be reached on M-F: 8:30AM-5PM.

 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

15 Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



20 JK
November 5, 2003

Joshua Kading
Examiner
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KENNETH VANDERPUYE
PRIMARY EXAMINER

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